

Proposed Rule Amendment to §370.3. Restoration of a Texas License.

Please note that this is a **PROPOSED** amendment. It has **NOT** been adopted. The current rules are in effect. Please [click this link](#) to view the current rules.

Introduction: The Texas Board of Occupational Therapy Examiners proposes an amendment to §370.3, concerning the restoration of a Texas license. The amendment would clarify existing policies with regard to the restoration of a Texas license and includes cleanups and grammatical revisions, as well. The amendment would add the requirement that each applicant for restoration must submit to the Board a verification of license from each state or territory of the U.S. in which the applicant is currently licensed or previously held a license; this must be an original verification sent directly to the Board by the licensing board in that state or territory, with any disciplinary actions reported to the Board. This would ensure that the Board receives a verification of each of an applicant's licenses. For example, applicants for restoration without proof of a current license at the OT or OTA level may have an occupational-therapy related license at a different level—either current or expired—in another state (for instance, an applicant to restore a Texas OT license might hold a current OTA license in another state, etc.), and the Board would need to receive verification of this or any other license the applicant holds or has held.

The amendment, in addition, includes language that would clarify that those applying from the U.S. military or a non-licensing state or territory of the U.S. may submit, if not holding a current license, proof of occupational therapy employment for at least two years immediately preceding the application for a Texas license when applying for restoration by proof of current licensure or occupational therapy employment.

Comments: Comments on the proposed amendment may be submitted to Lea Weiss, Occupational Therapy Coordinator, Texas Board of Occupational Therapy Examiners, 333 Guadalupe Street, Suite 2-510, Austin, Texas 78701 or to lea@ptot.texas.gov no later than 30 days from the date that this proposed amendment is published in the *Texas Register*.

This proposed amendment with the complete preamble will be published in the February 27, 2015 edition of the [Texas Register](#).

Please note that any new words/phrases in the proposal are underlined. Language that has been removed has a strikethrough and is in brackets.

§370.3. Restoration of a Texas License.

a) Restoration of a license expired more than one year to a person with a current license or occupational therapy employment:

(1) The Board may restore a license to a person whose Texas license has been expired more than one year if the person:

(A) is currently licensed in another state or territory of the U.S. and that license has not been suspended, revoked, cancelled, surrendered or otherwise restricted for any reason; or

(B) if not currently licensed in another state or territory of the U.S., is applying from the U.S. military or a non-licensing state or territory of the U.S. and can substantiate occupational therapy employment for at least two years immediately preceding application for a Texas license.

(2) The person shall meet the following requirements:

(A) make application for licensure to the Board on a form prescribed by the Board, which includes a recent passport-type photo;

(B) submit to the Board a verification of license from each state or territory of the U.S. in which the applicant is currently licensed or previously held a license. This must be an original verification sent directly to the Board by the licensing board in that state or territory. Any disciplinary actions must be reported to the Board;

(i) If not currently licensed in another state or territory of the U.S. and applying from the U.S. military or a non-licensing state or territory of the U.S., the person must submit a Verification of Employment form substantiating occupational therapy employment for at least two years immediately preceding application for a Texas license.

(C) pass the Board jurisprudence exam;

(D) pay the restoration fee; and

(E) complete all requirements for licensure within one year from the date of application.

~~[(a) The board may restore a license expired more than one year to a person who was licensed in Texas, moved to another state or US territory, is currently licensed in another US state or territory, and that license has not been suspended, revoked, cancelled, surrendered or otherwise restricted for any reason if the person shall meet the following requirements:]~~

~~[(1) make application for licensure to the board on a form prescribed by the board which includes a recent passport type photo;]~~

~~[(2) submits to the board verification of all the state licenses held since leaving Texas. At least one must be current and in good standing, and any disciplinary actions must be reported to the board;]~~

~~[(3) pass the jurisprudence exam;]~~

~~[(4) pay the restoration fee; and]~~

~~[(5) completes all requirements for licensure within one year from the date of application.]~~

(b) Restoration of a license expired more than one year and less than two years to a person without a current license or occupational therapy employment:

(1) The Board may restore a license expired more than one year and less than two years to a person who was licensed in Texas and:

(A) is not currently licensed in another state or territory of the U.S.; or

(B) if not currently licensed in another state or territory of the U.S., is applying from the U.S. military or a non-licensing state or territory of the U.S. and cannot substantiate occupational therapy employment for at least two years immediately preceding application for a Texas license.

(2) The person shall meet the following requirements:

(A) make application for licensure to the Board on a form prescribed by the Board, which includes a recent passport-type photo;

(B) submit copies of the completed continuing education showing 45 hours of continuing education as per Chapter 367 of this title (relating to Continuing Education) with a minimum of 30 hours in Type 2;

(C) submit to the Board a verification of license from each state or territory of the U.S. in which the applicant is currently licensed or previously held a license. This must be an original verification sent directly to the Board by the licensing board in that state or territory. Any disciplinary actions must be reported to the Board;

(D) pass the Board jurisprudence examination;

(E) pay the restoration fee; and

(F) complete all requirements for licensure within one year from the date of the application.

~~[(b) If the person's Texas license has been expired more than one year and less than two years, and has no current license in another state or US territory, the person shall:]~~

~~[(1) make application for licensure to the board on a form prescribed by the board, which includes a recent passport type photo;]~~

~~[(2) pass the board jurisprudence examination;]~~

~~[(3) submit copies of the completed continuing education showing 45 hours of continuing education as per Chapter 367 of this title (relating to Continuing Education) with a minimum of 30 hours in Type 2;]~~

~~[(4) pay the restoration fee; and the renewal fee; and]~~

~~[(5) complete all requirements for licensure within one year from the date of the application.]~~

(c) Restoration of a license expired more than two years to a person without a current license or occupational therapy employment:

(1) The Board may restore a license expired more than two years to a person who was licensed in Texas and:

(A) is not currently licensed in another state or territory of the U.S.; or

(B) if not currently licensed in another state or territory of the U.S., is applying from the U.S. military or a non-licensing state or territory of the U.S. and cannot substantiate occupational therapy employment for at least two years immediately preceding application for a Texas license.

(2) The person shall meet the following requirements:

(A) make application for licensure to the Board on a form prescribed by the Board, which includes a recent passport-type photo;

(B) submit to the Board a verification of license from each state or territory of the U.S. in which the applicant is currently licensed or previously held a license. This must be an original verification sent directly to the Board by the licensing board in that state or territory. Any disciplinary actions must be reported to the Board;

(C) pass the Board jurisprudence exam;

(D) pay the restoration fee;

(E) complete all requirements for licensure within one year from the date of application; and

(F) satisfy one of the following:

(i) complete a re-entry course through an accredited college or university and submit the certificate of completion or transcript to the Board;

(ii) obtain an advanced or post-professional occupational therapy degree, with an official transcript sent to the Board; or

(iii) take and pass the NBCOT examination for licensure purposes only (after requesting Board approval to take the examination) and have the passing score reported to the Board directly by NBCOT. In addition, copies of the completed continuing education showing 45 hours of continuing education as per Chapter 367 of this title (relating to Continuing Education), with a minimum of 30 hours in Type 2, must be submitted.

~~[(c) A former licensee whose Texas license is expired more than two years and holds no current state or US territory license may return to Texas licensure by:]~~

~~[(1) complete a re-entry course through an accredited college or university, and submit the certificate of completion or transcript to the board; or]~~

~~[(2) obtain an advanced occupational therapy degree, with an official transcript sent to the board; or]~~

~~[(3) retake the NBCOT examination "for licensure purposes only" and the scores reported to Texas from NBCOT; and submit copies of the completed continuing education showing 45 hours of continuing education as per Chapter 367 of this title (relating to Continuing Education), with a minimum of 30 hours in Type 2;]~~

~~[(A) submit a board approved application which includes a recent passport type photo;]~~

~~[(B) pass the jurisprudence exam;]~~

~~[(C) pay the restoration fee;]~~

~~[(D) complete the requirements for licensure within one year from the date of application.]~~